



POSTING OF JOB OPENINGS

- I. PURPOSE:** In accordance with W. Va. Code §29-6-24 and the Division of Personnel Administrative Rule, 143CSR1, the purpose of this policy is to establish the procedures and requirements for posting job openings to ensure that merit principles are upheld when filling job openings for classified positions.

II. DEFINITIONS

- A. Agency: Any administrative department of State government, including any authority, board, bureau, commission, committee, council, division, section, office, or any county health department.
- B. Day: Unless otherwise specified, the use of “day” means a calendar day.
- C. Job Opening: Any unfilled budgetary position to be filled by original appointment, promotion, demotion, lateral class change, reinstatement, or transfer.
- D. Position: An authorized and identified group of duties and responsibilities assigned by the proper authority requiring the full-time or part-time employment of at least one person.
- E. Reallocation: Reassignment by the Director of Personnel of a position from one class to a different class on the basis of a significant change in the kind or level of duties and responsibilities assigned to the position.
- F. Reclassification: The revision by the State Personnel Board of the specifications of a class or class series which results in a redefinition of the nature of the work performed and a reassignment of positions based on the new definition and may include a change in the title, pay grade, or minimum qualifications for the classes involved.

III. POLICY

- A. An agency with classified (i.e., civil service) employee has the responsibility to adhere to merit principles and to apply these principles in the (1) classification of their positions, and (2) the selection process.
- B. All job openings will be posted throughout the agency where the vacancy is located for ten (10) calendar days prior to the selection and announcement of the successful candidate for the position.
1. The only exceptions to this policy are intra-agency transfers for good cause, demotions with prejudice, or a reclassification of positions approved by the State Personnel Board.
 2. Posting of job openings using electronic or other communications media shall satisfy the requirement to post a notice provided that the appointing authority makes regular and convenient access to the media used available to each classified employee in the agency, or otherwise provides notice to each classified employee in the agency.



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- C. The term job opening refers to any vacancy to be filled by original appointment, promotion, demotion, lateral class change, reinstatement, or transfer, except any vacancy filled as a result of an employee exercising his or her bumping rights, and to any position to be filled by reallocation.
 - 1. Posting of a position to be filled by reallocation is required, but may be limited to the organizational unit in which the position exists, and the posting shall specify that consideration for the position is limited to employees of the organizational unit.
 - 2. The term job opening shall not include any temporary, intermittent, or emergency job duty, assignment, or post.
- D. The notice of posting for an unfilled job opening shall include a description of the duties to be performed, the minimum qualifications for the position, the job class to be used in filling the job opening, the salary level or range that will be considered, the full-time equivalent for the position, and the job location.
- E. On the initiative of the State Personnel Board, or at the request of an appointing authority, positions may be reclassified by the creation or abolishment of classes, or the revision of the definition of the work of the classes brought about by changing work methods, new technology, or reorganization.
- F. The appointing authority may request the Director of Personnel reallocate a vacant position to another classification when a significant change in the kind or level of duties and responsibilities assigned to the previous incumbent is anticipated.
- G. A posting request shall be processed through the Classification and Compensation Section of the Division of Personnel. Classification and Compensation will review the submitted information, determine whether the position is appropriately classified, either approve, modify, or disapprove the request and advise the agency.
- H. An established closing date, if any, for the receipt of applications shall allow sufficient time to ensure that the job posting has been posted throughout the agency for the required 10 days.
- I. The naming of an individual to fill the position is the appointment and is not altered by the fact that the individual will not assume the duties until a later date. Therefore, the agency shall not make an appointment to a position prior to the deadline for receipt of applications as specified on the posting.
- J. The appointing authority shall give due consideration to those employees who apply and are eligible for the posted vacancy.
- K. If a posted vacancy is not filled within six (6) months of the established closing date, the appointing authority must re-post the vacancy prior to an appointment to the vacant position.
- L. A copy of the job posting shall accompany the WV-11 when the agency has made their selection, and both forms shall be forwarded to the Division of Personnel.
- M. If an individual selected for a posted vacancy refuses the offer of employment, fails to report to work, or resigns, or otherwise separates from employment within the first 10 work days of



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employment, the appointing authority is not required to repost the vacancy prior to making another appointment to the position provided that the appointment is made within 30 days of the separation and the appointment is made from the pool of eligible applicants from which the first employee was hired.

- N. The vacancy posting requirements set forth in this policy shall apply to all classified position vacancies except vacancies filled as a result of employees exercising bumping rights, demotions with prejudice, and/or transfers for cause.

IV. REFERENCES

- A. *W. Va. Code* §29-6-24.
B. *W. Va. Code* §6C-2-1 *et seq.*
C. West Virginia Division of Personnel *Administrative Rule, W. Va. Code R.* §143-1-1 *et seq.* (2007).

V. **EFFECTIVE DATE:** December 1, 1993.

VI. **REVISED:** July 6, 2009.

VII. **PREVIOUS REVISIONS:** None.

VIII. **POLICY NUMBER:** DOP-P11.

Approved and Issued By:

Theresa McClintock Crouse, Acting Director of Personnel

Date Signed: July 6, 2009